

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:	)	
Günter SCHMID et al.	)	Before the Examiner
	)	
Serial No. 10/523,081	)	Nannette Holloman
	)	
Filed July 28, 2005	)	Group Art Unit 1612
	)	
METAL CLUSTER NANO-	)	January 23, 2009
COMPOUNDS FOR TREATING	)	
TUMOR DISEASE	)	

RESPONSE TO  
ELECTION OF SPECIES

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450  
Sir:

In response to the Action dated December 23, 2008, Applicants elect the Formula II species, without traverse. The Formula II species is presented in claim 50 and claims 37-55 and 61-63 are readable on the elected species.

No additional fee is believed to be required for this Response. Please provide any extensions of time which are required and charge any additional fees which may be due or credit any overpayments to Deposit Account No. 23-3030.

Respectfully submitted,

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